

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 10-cr-20653  
HON. GERSHWIN A. DRAIN

DUANE BERRY, D-1,

Defendant.

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**ORDER GRANTING GOVERNMENT’S MOTION FOR RECONSIDERATION [#140]**

Presently before the Court is the Government’s Motion for Reconsideration, filed on April 29, 2013. The Government asks the Court to modify or amend certain language contained in this Court’s March 27, 2013 Order dismissing the Third Superseding Indictment with Prejudice as to Defendant Duane Berry. On or about May 6, 2013, Defendant Berry filed a Response in Opposition to the Government’s Motion for Reconsideration. *See* Dkt. No. 141. Additionally, the Government filed the Declaration of Defendant Berry’s former counsel, Christopher Seikaly, on June 5, 2013. *See* Dkt. No. 146.

Upon review of the parties’ briefing, the Court finds that the relief sought by the Government is warranted. Accordingly, the Court will enter an Amended Order Dismissing the Third Superseding Indictment with Prejudice.

The Government’s Motion for Reconsideration [#140] is GRANTED.

SO ORDERED.

Dated: June 13, 2013

/s/Gershwin A Drain  
GERSHWIN A. DRAIN  
United States District Judge